

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4006

IN THE MATTER OF:

Served September 21, 1992

Investigation of Post-Revocation)
Operations of JAPAN TRAVELERS)
SERVICE, INC., and HIDEO KOGA)

Case No. MP-92-36

Certificate of Authority No. 74, held by Japan Travelers Service, Inc. (JTS), was revoked by Order No. 3186 on June 28, 1988, for JTS's failure to comply with the Commission's minimum insurance requirements. The revocation was without prejudice to JTS's right to file a new application for operating authority. No such application has been forthcoming as yet.

JTS is currently holding itself out to the public through a listing in the C&P Telephone Co. "White Pages" for the District of Columbia -- May 1992 - April 1993, edition. JTS's articles of incorporation on file with the DC Department of Consumer and Regulatory Affairs states that JTS is still organized for the purpose of engaging "in the provision of ground transportation, sightseeing and other touring services for incoming and indigenous tourists...." JTS's 1992 annual report on file with the Department states that Mr. Hideo Koga is still its president.

In addition, the aforementioned "White Pages" and "The One Book" show that Japan Express Travel is located at the same DC address as JTS. The Commission's records indicate that Japan Express Travel organizes sightseeing tours in the Metropolitan District. Japan Express Travel's practice in the past has been to rely on Mr. Koga and JTS to provide those tours. The president of Japan Express Travel, Mr. Isao Suma, is a director of JTS and is its resident agent for service of process.

Under the circumstances, the Commission is concerned that JTS or its president, Hideo Koga, may be transporting persons for hire between points in the Metropolitan District without a certificate of authority. This investigation is initiated to ascertain whether at any time after June 28, 1988, JTS or its president, Hideo Koga, has transported persons for hire in violation of the Compact,¹ Title II, Article XI, Section 6, and any related Compact provisions and Commission regulations or orders. Pursuant to the Compact, Title II, Article XII, Section 1 and Article XIII, Section 1, JTS and Mr. Koga will be directed to answer certain questions and produce certain documents.

¹ Washington Metropolitan Area Transit Regulation Compact, Pub. L. No. 101-505, 104 Stat. 1300 (1990) (codified at D.C. Code Ann. §1-2411 (1992)).

THEREFORE, IT IS ORDERED:

1. That Japan Travelers Service, Inc., and Mr. Hideo Koga (Respondents) shall each, individually and separately, answer the following questions, in writing and under oath:

- a. Since June 28, 1988, and excluding transportation solely between points in Virginia, has Respondent transported passengers in motor vehicles between points in the Metropolitan District?²
- b. If the answer to question a. is yes, describe fully the nature of that transportation and when it occurred.
- c. If the answer to question a. is yes, did Respondent receive any compensation, monetary or otherwise, for that transportation?
- d. If the answer to question c. is yes, does Respondent claim any exemption or exception from the Compact?
- e. If the answer to question d. is yes, specify the source of that exemption or exception.
- f. Identify and describe what authority, if any, Respondent holds to transport passengers for hire and indicate whether it is active or inactive.

2. That Japan Travelers Service, Inc., and Mr. Hideo Koga (Respondents) shall each, individually and separately, produce the following documents:

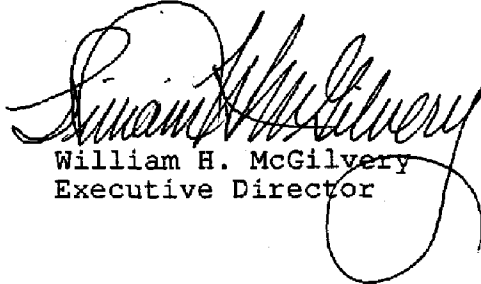
- a. A list of all motor vehicles, if any, owned or operated by Respondent as of the date of this order. The list shall indicate for each vehicle the year, make, model, serial number, vehicle number, license plate number (and jurisdiction), seating capacity, name of insurance carrier insuring the vehicle, whether the vehicle is insured for transportation of passengers for hire, and the limits for bodily injury and property damage liability under the policy covering the vehicle.
- b. All certificates of insurance covering the vehicles described in Respondent's list of motor vehicles produced in response to paragraph 2.a. above.

² The Metropolitan District includes the District of Columbia; the cities of Alexandria and Falls Church of the Commonwealth of Virginia; Arlington County and Fairfax County of the Commonwealth of Virginia, the political subdivisions located within those counties, and that portion of Loudoun County, Virginia, occupied by the Washington Dulles International Airport; Montgomery County and Prince George's County of the State of Maryland, and the political subdivisions located within those counties; and all other cities now or hereafter existing in Maryland or Virginia within the geographic area bounded by the outer boundaries of the combined area of those counties, cities, and airports. Compact, Title I, Article I.

3. That Japan Travelers Service, Inc., and Mr. Hideo Koga, shall comply with the requirements of this order by filing their responses to this order at the offices of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104, on or before Wednesday, October 7, 1992.

4. That failure to timely comply with this order may result in assessment of civil forfeitures.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS DAVENPORT, SCHIFTER, AND SHANNON:



William H. McGilvery
Executive Director